

CYNTHIA D. PERDUM
CYNTHIA PERDUM vs WELLS FARGODecember 20, 2018
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1	IN THE UNITED STATES DISTRICT COURT		1	INDEX OF EXAMINATION	
	FOR THE NORTHERN DISTRICT OF GEORGIA		2		
2	ATLANTA DIVISION		3	WITNESS: CYNTHIA D. PERDUM	
3	CYNTHIA PERDUM,	)	4	EXAMINATION	PAGE
		)	5	Cross-Examination By Mr. Howard	5
4	Plaintiff,	)	6		
		) CIVIL ACTION FILE NO.:	7	INDEX TO EXHIBITS	
5	v.	)	8		
		) 1:17-CV-00972-SCJ-JCF	9	DEFENDANT'S	DESCRIPTION
6	WELLS FARGO HOME	)	10	Exhibit 1	Brief in Support of Defendant's
	MORTGAGE; SHAPIRO	)			Wells Fargo Home Mortgage
7	PENDERGAST & HASTY, LLP;	)	11		Division of Wells Fargo Bank,
	NATIONWIDE CLEARINGHOUSE,	)	12		Motion to Dismiss Plaintiff's
8	INC.; AND US DEPARTMENT	)	13		Complaint
	OF HOUSING AND URBAN	)	14		Complaint
9	DEVELOPMENT,	)	14	Exhibit 3	Tila Request and Other
		)			Regulation Request Under
10	Defendants.	)	15		Regulation Z
11			16	Exhibit 4	NEDVR
12			17	Exhibit 5	Defendant Wells Fargo's first
13	DEPOSITION OF		18		Interrogatories to Plaintiff
14	CYNTHIA D. PERDUM		19	Exhibit 6	Defendant Wells Fargo Bank,
15			20		N.A.'S First Request for
16	December 20, 2018		21		Production of Documents to
17	10:21 a.m.		22		Plaintiff
18	Monarch Plaza, Suite 1600		23		INFORMATION REQUESTED
19	3414 Peachtree Road, NE		24	Page	Line
20	Atlanta, Georgia		25	31	19
21					
22					
23	Linda Panzica, CCR No. 2773				
24					
25					
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1	APPEARANCES OF COUNSEL		1	DEPOSITION OF CYNTHIA D. PERDUM	
2			2	December 20, 2018	
3	ON BEHALF OF THE PLAINTIFF:		3	(Reporter disclosure made pursuant to	
4	Pro Se		4	Article 10.B of the Rules and Regulations of the	
5			5	Board of Court Reporting of the Judicial Council of	
6	ON BEHALF OF THE DEFENDANTS:		6	Georgia.)	
7	Dylan W. Howard, Attorney at Law		7	MR. HOWARD: All right. This will be the	
8	7 Baker Donelson Caldwell & Berkowitz, P.C.		8	deposition of Cynthia D. Perdum. The	
9	Monarch Plaza, Suite 1600		9	plaintiff in the case of Cynthia D. Perdum	
10	8 3414 Peachtree Road, NE		10	versus Wells Fargo Home Mortgage, et al.,	
11	Atlanta, Georgia 30326		11	currently pending in the United States	
12	9 678.406.8704.443.61		12	District Court for the Northern District of	
13	dhoward@bakerdonelson.com		13	Georgia, Civil Action File Number	
14			14	1:17-cv-00972. This deposition was taken	
15			15	pursuant to notice and pursuant to agreement	
16			16	of counsel for defendant, Wells Fargo and for	
17			17	plaintiff, Ms. Perdum.	
18			18	Ms. Perdum -- actually, will you swear	
19			19	the witness, please?	
20			20	(Whereupon, the oath was administered to	
21			21	the witness by the court reporter.)	
22			22	Whereupon,	
23			23	CYNTHIA D. PERDUM,	
24			24	was called as a witness herein and, first having	
25			25	been duly sworn, was examined and testified as	

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<p>1 follows:</p> <p>2 CROSS-EXAMINATION</p> <p>3 BY MR. HOWARD:</p> <p>4 Q. Will you state your name for the record,</p> <p>5 ma'am?</p> <p>6 A. Cynthia D. Perdum.</p> <p>7 Q. And your current address?</p> <p>8 A. It's 5100 King Arthur Lane, Ellenwood,</p> <p>9 Georgia, 30294.</p> <p>10 Q. And that address, the 5100 King Arthur</p> <p>11 Lane, that's the house that's at issue in this</p> <p>12 lawsuit, correct?</p> <p>13 A. Correct.</p> <p>14 Q. Have you ever given your deposition</p> <p>15 before?</p> <p>16 A. No.</p> <p>17 MR. HOWARD: Okay. While just real</p> <p>18 quickly, it's just me asking questions. If,</p> <p>19 at any time you don't understand a question</p> <p>20 that I ask, you know, stop me, I will be more</p> <p>21 than happy to rephrase it or explain it. If</p> <p>22 you need a break, just let me know, we can</p> <p>23 take breaks at any time. I'm hopeful that</p> <p>24 we'll get through this really quickly and that</p> <p>25 won't be necessary. But if you do need to</p>	<p>1 MR. HOWARD: One, please.</p> <p>2 (Whereupon, Defendants' Exhibit Number 1</p> <p>3 was marked for identification.)</p> <p>4 BY MR. HOWARD:</p> <p>5 Q. Like I said, ma'am, I'm going to try and</p> <p>6 get through this stuff pretty quickly, so I'm going</p> <p>7 to --</p> <p>8 A. Okay.</p> <p>9 Q. -- I will be sort of taking some</p> <p>10 shortcuts and trying to combine a bunch of</p> <p>11 documents in a couple of questions versus taking</p> <p>12 three hours going through everything individually.</p> <p>13 So if there is anything you don't understand or you</p> <p>14 think that I'm going too quickly, please feel free</p> <p>15 to let me know. If you recognize it, will you</p> <p>16 identify the document labeled as Defendants'</p> <p>17 Exhibit 1?</p> <p>18 A. It says "Brief in Support of Defendant's</p> <p>19 Wells Fargo Home Mortgage Division of Wells Fargo</p> <p>20 Bank, motion to dismiss Plaintiff's complaint."</p> <p>21 Q. Okay. So that document appears to be a</p> <p>22 copy of Brief in Support of the motion to dismiss</p> <p>23 that was filed on behalf of Wells Fargo in this</p> <p>24 lawsuit?</p> <p>25 A. Correct.</p>
<p>1 take a break.</p> <p>2 Now you're not represented by a lawyer</p> <p>3 here today, correct?</p> <p>4 THE WITNESS: Correct.</p> <p>5 MR. HOWARD: Okay. If, at any time, you</p> <p>6 rethink that decision, you can let me know</p> <p>7 that as well. And the only thing I will ask</p> <p>8 is, when I'm asking questions, and you're</p> <p>9 doing a great job so far, but when I'm asking</p> <p>10 questions, if you will give an audible yes or</p> <p>11 no answer, it's just much less confusing for</p> <p>12 the court reporter.</p> <p>13 THE WITNESS: Okay.</p> <p>14 MR. HOWARD: Are you -- is there anything</p> <p>15 that would affect your testimony today in the</p> <p>16 use of alcohol or drugs or anything along</p> <p>17 those lines?</p> <p>18 THE WITNESS: No.</p> <p>19 MR. HOWARD: Silly questions but,</p> <p>20 unfortunately, I've got to ask silly</p> <p>21 questions. But I have yet for anybody to tell</p> <p>22 me yes to that, which is a good thing. And</p> <p>23 you -- let's see, let me mark --</p> <p>24 THE COURT REPORTER: Are you starting</p> <p>25 with 1?</p>	<p>1 Q. Okay. Now you purchased the property at</p> <p>2 5100 King Arthur Lane back in, let's see, 2000.</p> <p>3 Does that sound correct?</p> <p>4 A. Yes.</p> <p>5 Q. Will you identify the document attached</p> <p>6 to Defendants' Exhibit 1 and mark it as Exhibit A,</p> <p>7 please?</p> <p>8 A. It says "limited warranty deed."</p> <p>9 Q. If you'll just take a look and confirm</p> <p>10 that that's a copy of the warranty deed you signed</p> <p>11 when you purchased the property.</p> <p>12 A. I didn't sign it.</p> <p>13 Q. Okay. That's here -- you're right about</p> <p>14 that. You wouldn't have signed the deed and do</p> <p>15 you -- but will you just take a look and see if</p> <p>16 that appears to be the warranty deed that</p> <p>17 transferred the property to you when you purchased</p> <p>18 it?</p> <p>19 A. (Viewing) That's what it says.</p> <p>20 Q. And then if you will look at the document</p> <p>21 that's attached to Defendants' Exhibit 1 and mark</p> <p>22 this Exhibit B, and let me know if you recognize</p> <p>23 that document.</p> <p>24 A. Yes, I do.</p> <p>25 Q. And what is that document?</p>

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1 A. It's a security deed.		1 A. Regarding?	
2 Q. Is it the security deed that you executed		2 Q. A lawsuit against Wells Fargo.	
3 in relation to the loan that you used to purchase		3 A. I'm not sure. What is it in regard to?	
4 the property at issue?		4 Q. Did you file more than one lawsuit	
5 A. Yes, for Washington Mutual.		5 against Wells Fargo on May 3, 2013?	
6 Q. And if you will just flip through and let		6 A. I have no idea of what those cases are in	
7 me know if the initials at the bottom of the		7 regard to.	
8 security deed were discussed and were written by		8 Q. If you will take a look back at	
9 you and whether the signature at the end of the		9 Defendants' Exhibit 1, at the document that has a	
10 document is your signature, please.		10 stamp at the bottom that references Exhibit D. Let	
11 A. Yes.		11 me know if you recognize that document, please.	
12 Q. And at some point, the loan that is		12 A. (Viewing) Yes.	
13 secured by the property at 5100 King Arthur Lane,		13 Q. And what is that document?	
14 that is the loan at issue in this lawsuit, was		14 A. It says "Complaint for Wrongful Attempted	
15 assigned to Wells Fargo Bank. Were you aware of		15 Foreclosure, Title for our Intention, Injunction of	
16 that, ma'am?		16 Emotional Distress and Damages.	
17 A. That's what it says on the assignment.		17 Q. And is that a document that you prepared?	
18 Q. Okay. Do you have any reason to believe		18 A. Yes.	
19 that the loan wasn't assigned from Washington		19 Q. And you filed?	
20 Mutual to Wells Fargo?		20 A. Yes.	
21 A. I'm not sure, but that's what it says on		21 Q. And it references Civil Action File	
22 the assignment.		22 Number 13-cv-5259-7. Is that a lawsuit that you	
23 Q. Okay. Now, this isn't the first lawsuit		23 initiated against Wells Fargo in the Superior Court	
24 that you have filed against Wells Fargo, correct?		24 of DeKalb County?	
25 A. Correct.		25 A. Yes.	
	Page 10		Page 12
1 Q. If you will review pages 3, 4 -- I guess		1 Q. And ma'am, if you'll take a look at,	
2 3 and 4 of Defendants' Exhibit 1, which is a		2 again, at Defendants' Exhibit 1 at the document	
3 narrative description of prior lawsuits that you		3 that has the stamp at the bottom that references	
4 have filed and the results of said lawsuits, and		4 Exhibit E. Let me know if you recognize that	
5 let me know if there is anything you see that is		5 document.	
6 incorrect.		6 A. Yes.	
7 A. (Viewing) I'm not going to confirm or		7 Q. And what is that document?	
8 deny anything in the motion to dismiss the case		8 A. It was an order.	
9 that is pending in Federal Court. This is a		9 Q. Do you recall that order did?	
10 document that you submitted, or that Wells Fargo		10 A. No, I have to read it. (Viewing) Yes.	
11 submitted in regard to dismissing the case. So I		11 Q. What did that order do?	
12 confirm or deny anything that is relevant to page 3		12 A. It dismissed the complaint.	
13 to page 5. But everything is documented in terms		13 Q. And that dismissed the lawsuit that you	
14 of lawsuits that I filed against Wells Fargo.		14 had filed against Wells Fargo?	
15 Q. Okay. What does that mean, "Everything		15 A. Yes, it did dismiss it.	
16 is documented with regard to lawsuits that you		16 Q. And, ma'am, if you will look again at	
17 filed against Wells Fargo"?		17 Defendants' Exhibit 1, specifically at a document	
18 A. So I filed a document that was pertaining		18 attached with the stamp that says Exhibit F.	
19 to Wells Fargo, it's already documented in civil		19 A. Uh-huh.	
20 action court cases.		20 Q. Let me know if you recognize that	
21 Q. Okay. Do you recall filing a lawsuit		21 document.	
22 against Wells Fargo in May, on or about May 3,		22 A. (Viewing) Uh-huh, yes, I do.	
23 2013?		23 Q. And what is that document?	
24 A. Where?		24 A. It says "Complaint for Accounting."	
25 Q. In the Superior Court of DeKalb County.		25 Q. Okay. And is this another lawsuit you	

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<p>1 filed against Wells Fargo?</p> <p>2 A. Yes.</p> <p>3 Q. And you'll just confirm that it</p> <p>4 references Civil Action 113-cv-4304, please.</p> <p>5 A. Yes.</p> <p>6 Q. And I think this is the last one for this</p> <p>7 series of questions. If you will look at</p> <p>8 Defendants' Exhibit 1 again, ma'am, specifically</p> <p>9 the document with a stamp on the bottom right-hand</p> <p>10 side that says Exhibit G.</p> <p>11 A. Yes.</p> <p>12 Q. Let me know if you recognize that</p> <p>13 document.</p> <p>14 A. (Viewing) Yes.</p> <p>15 Q. Will you tell me what that document is?</p> <p>16 A. It's just an order.</p> <p>17 Q. And if you review it, can you let me know</p> <p>18 what that order did?</p> <p>19 A. (Viewing) You have given me a whole bunch</p> <p>20 of orders and documents to review, but the problem</p> <p>21 is, is that there were -- there were different</p> <p>22 defendants relating to all these orders.</p> <p>23 Q. Okay.</p> <p>24 A. So this is just an order that dismissed</p> <p>25 the case.</p>	Page 13	Page 15
<p>1 Q. Okay. So the document we're referring</p> <p>2 to, which is marked as Exhibit G to Defendants'</p> <p>3 Exhibit 1 is an order dismissing the lawsuit, which</p> <p>4 is referenced as Civil Action File Number</p> <p>5 113-cv-4304, correct?</p> <p>6 A. Correct. But this is attached to the</p> <p>7 document for the civil action that's currently</p> <p>8 pending in court.</p> <p>9 Q. Correct. Aside from the action that's</p> <p>10 currently pending in court, do you have any</p> <p>11 lawsuits against Wells Fargo that are currently</p> <p>12 pending?</p> <p>13 A. No.</p> <p>14 Q. So any lawsuit that you had filed aside</p> <p>15 from the one that we're here on today that's</p> <p>16 currently pending would have been resolved or</p> <p>17 dismissed in some capacity, correct?</p> <p>18 A. There's only one lawsuit right now that</p> <p>19 is pending.</p> <p>20 Q. Correct. Thank you.</p> <p>21 MR. HOWARD: Mark that as Defendants'</p> <p>22 Exhibit 2, please.</p> <p>23 (Whereupon, Defendants' Exhibit Number 2</p> <p>24 was marked for identification.)</p> <p>25 BY MR. HOWARD:</p>	Page 14	Page 16
<p>1 Q. And Ms. Perdum, if you'll review what's</p> <p>2 been just -- review what has been marked as</p> <p>3 Defendants' Exhibit 2 and let me know if you</p> <p>4 recognize that?</p> <p>5 A. (Viewing) Yes. That's the complaint that</p> <p>6 I filed.</p> <p>7 Q. And that's the complaint in the currently</p> <p>8 pending lawsuit, correct?</p> <p>9 A. Correct.</p> <p>10 Q. Now, if you will look at page 10 of</p> <p>11 Defendants' Exhibit 2, specifically at paragraph</p> <p>12 25, it references an NEDVR; is that correct?</p> <p>13 A. Yes.</p> <p>14 Q. And can you tell me what that stands for?</p> <p>15 A. Notice of error of debt validation</p> <p>16 request.</p> <p>17 Q. Okay. And is it fair to say that that</p> <p>18 would also be called a qualified written request?</p> <p>19 A. Yes.</p> <p>20 Q. And if you'll take a quick look at pages</p> <p>21 10, 11, and 12 of Defendants' Exhibit 2. It</p> <p>22 references two NEDVRs, one that is referred to as</p> <p>23 the NEDVR and one that's referred to as NEDVR-2,</p> <p>24 correct?</p> <p>25 A. Correct.</p> <p>1 Q. And there is no NEDVR-3 or NEDVR-4 that's</p> <p>2 referenced anywhere in the complaint, correct?</p> <p>3 A. That, I'm not aware of.</p> <p>4 (Whereupon, Defendants' Exhibit Number 3</p> <p>5 was marked for identification.)</p> <p>6 BY MR. HOWARD:</p> <p>7 Q. Ms. Perdum, if you'll look at Defendants'</p> <p>8 Exhibit 3?</p> <p>9 A. Uh-huh.</p> <p>10 Q. Can you identify Defendants' Exhibit 3,</p> <p>11 please?</p> <p>12 A. It's says Tila Request and Other</p> <p>13 Regulation Request Under Regulation Z.</p> <p>14 Q. Is that one of the NEDVRs that's</p> <p>15 referenced in the complaint?</p> <p>16 A. Yes.</p> <p>17 Q. Okay. If you'll mark that. If you'll</p> <p>18 just status that. Are there any DVR that's</p> <p>19 referenced in the complaint.</p> <p>20 A. Yes, it is.</p> <p>21 MR. HOWARD: If you'll mark that as</p> <p>22 Defendants' Exhibit 4.</p> <p>23 (Whereupon, Defendants' Exhibit Number 4</p> <p>24 was marked for identification.)</p> <p>25 BY MR. HOWARD:</p>	Page 16	

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<p>1 Q. And one more time then, just for the 2 record, I know it's silly. If you'll just confirm 3 that Defendants' Exhibit 4 is the other NEDVR 4 that's reference in the complaint.</p> <p>5 A. Correct. Yes, it is.</p> <p>6 Q. Okay. So Exhibits 3 and 4 are the only 7 NEDVRs, or qualified written requests, that are 8 identified in the complaint?</p> <p>9 A. I'm not sure exactly what is in the 10 complaint. As far as I know, I had listed other 11 qualified written requests issues, but these are 12 some of the exhibits that I put in the complaint.</p> <p>13 (Whereupon, Defendants' Exhibit Number 5 14 was marked for identification.)</p> <p>15 BY MR. HOWARD:</p> <p>16 Q. Okay. Ms. Perdum, if you'll look at 17 Defendants' Exhibit 5, please.</p> <p>18 A. Okay. (Viewing) It says Defendant Wells 19 Fargo's first interrogatories to plaintiff.</p> <p>20 Q. Okay. If you look at the -- may we go 21 off the record, please?</p> <p>22 (...Off the record...)</p> <p>23 BY MR. HOWARD:</p> <p>24 Q. Ms. Perdum, so Defendants' Exhibit 5 is a 25 copy of your responses to Defendant Wells Fargo</p>	<p>Page 17</p> <p>1 Q. And then, the same set of questions for 2 paragraph 7 of Defendants' Exhibit 5. If you will 3 review it and confirm that it asked you to 4 identify and describe all evidence in your 5 possession that evidences damages you claim you 6 have suffered as a result of Wells Fargo's alleged 7 failure to respond to a qualified written request.</p> <p>8 A. (Viewing) Yeah, this is all the 9 information I have in my possession.</p> <p>10 Q. Okay. Thank you. So the typewritten 11 answer -- the typewritten response after paragraph 12 7 of Defendants' Exhibit 5 is a full and complete 13 answer?</p> <p>14 A. Yeah, because that's the only thing I 15 have in my possession. I don't have any doctor's 16 information in my possession.</p> <p>17 Q. Okay. Now, aside from doctor's 18 information, are there other categories of evidence 19 that you think might be out there that's not in 20 your possession?</p> <p>21 A. No.</p> <p>22 Q. Okay. If you will review -- if you would 23 just read paragraph 12 of Defendants' Exhibit 5, 24 please?</p> <p>25 A. "Identify all correspondence to Wells</p>
<p>Page 18</p> <p>1 Bank first interrogatories to plaintiff, correct?</p> <p>2 A. Correct.</p> <p>3 Q. And if you will look at the paragraph 4 marked as Number 6 and the response following it in 5 Defendants' Exhibit 5, please?</p> <p>6 A. Okay.</p> <p>7 Q. And I'm going to paraphrase, but I would 8 just like you to confirm that what I'm paraphrasing 9 is generally accurate. Paragraph 6 of Defendants' 10 Exhibit 5 asks for you to describe in detail all 11 damages you claim you suffered as a result of Wells 12 Fargo alleged failure to respond to qualified 13 written requests.</p> <p>14 A. Okay.</p> <p>15 Q. And you just confirmed that that's the 16 substance of that request?</p> <p>17 A. Yes.</p> <p>18 Q. Okay. And the response beneath paragraph 19 6, is a typed-out response that you prepared, 20 correct?</p> <p>21 A. Correct.</p> <p>22 Q. And take some time to review it, if you 23 would like, but if you will just confirm that that 24 is a full and accurate response?</p> <p>25 A. Yes.</p>	<p>Page 20</p> <p>1 Fargo that you contend qualifies as a qualified 2 written request under the Real Estate Settlement 3 Procedures Act."</p> <p>4 Q. Thank you, ma'am. If you'll read your 5 typewritten response to paragraph 12.</p> <p>6 A. It says "The Court has determined that -- 7 determined the RESPA qualifications."</p> <p>8 Q. Okay. And is that response a reference 9 to the report and recommendation that the 10 magistrate judge entered in this case?</p> <p>11 A. Yes..</p> <p>12 Q. Okay. Make sure to mark that. Sorry, 13 for the record, if you'll just -- I just made a 14 little stray mark. If you'll just confirm that's a 15 stray mark on page 9.</p> <p>16 A. Yeah, that's a little stray mark.</p> <p>17 Q. Okay. Good. So it's your understanding 18 sitting here today that, if in the report and 19 recommendation, the magistrate judge determined a 20 letter to be a RESPA request, then you don't 21 dispute that determination?</p> <p>22 A. Whatever the judge, with his report and 23 recommendations, I did not object to it.</p> <p>24 Q. Okay. And is there -- do you recall 25 anything sitting here today that you disagreed with</p>

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<p>1 in the report and recommendation?</p> <p>2 A. I did not file anything to object to the 3 report and recommendations.</p> <p>4 Q. Okay. So can I take that as an 5 indication that you didn't find anything that was 6 objectionable or to which you could have objected 7 to the report and recommendation?</p> <p>8 A. I can't say that. But what I can say is 9 that I didn't file anything to refute the judge's 10 report and recommendation.</p> <p>11 Q. Okay. Did you disagree with the 12 magistrate judge's finding that the April 7, 2016 13 letter, which we have marked as Defendants' Exhibit 14 3, qualified as a qualified written request, or may 15 have qualified as a qualified written request?</p> <p>16 A. Can you repeat the question?</p> <p>17 Q. Yeah, that was a terrible question.</p> <p>18 A. Yeah, that's okay.</p> <p>19 Q. Let me rethink that for a minute. You 20 know, I'll come back to that if I need to.</p> <p>21 Let's see. If you will take a quick look at 22 paragraph 19, Defendants' Exhibit 5, please.</p> <p>23 A. Okay.</p> <p>24 Q. Will you read that paragraph?</p> <p>25 A. It says "State all facts and describe all</p>	Page 21	<p>1 response to that request refers back to the 2 verified complaint and exhibits?</p> <p>3 A. Okay, yes. It says "Refer to the 4 verified complaint with exhibits." And then I 5 also included cases that was filed with the 6 Consumer Financial Protection Bureau."</p> <p>7 Q. Okay.</p> <p>8 A. And through the Comptroller's office.</p> <p>9 Q. Were those cases -- were documents from 10 those cases included as exhibits or are those 11 separate from the exhibits?</p> <p>12 A. They may be there -- everything that 13 was -- this may be after --</p> <p>14 Q. Okay.</p> <p>15 A. -- the lawsuit was filed or proceeding 16 the lawsuit, I'm not sure. But any cases dealing 17 with the Consumer Financial Protection Bureau, 18 they're actually in the verified complaint prior to 19 the lawsuit.</p> <p>20 (Whereupon, Defendants' Exhibit Number 6 21 was marked for identification.)</p> <p>22 BY MR. HOWARD:</p> <p>23 Q. Okay. Thank you. Ms. Perdum, if you'll 24 look at Defendants' Exhibit 6. Just flip through 25 it and confirm that it is your responses to Wells</p>	Page 23
<p>1 evidence that demonstrate that you actually mailed 2 the April 7, 2016 letter to Wells Fargo."</p> <p>3 Q. And then if you will read your 4 typewritten response to that paragraph, please?</p> <p>5 A. And I said, "Referred to the verified 6 complaint with exhibits filed."</p> <p>7 Q. Okay. Thank you, ma'am. So to your 8 knowledge sitting here today, is that a complete 9 and accurate response?</p> <p>10 A. With the civil action currently pending, 11 yes.</p> <p>12 Q. Okay. So to the extent that you're in 13 possession of any evidence of mailing of that April 14 7, 2016 to Wells Fargo, it would be included in the 15 verified complaint in the exhibits?</p> <p>16 A. Yes.</p> <p>17 Q. Okay. Thank you. Then, ma'am, same 18 questions with regard to paragraph 20 Defendants' 19 Exhibit 5. If you will just read it real quickly, 20 please?</p> <p>21 A. "State all facts and describe all 22 evidence that demonstrates that Wells Fargo 23 actually received the April 7, 2016 letter at issue 24 in this lawsuit."</p> <p>25 Q. And if you will confirm, ma'am that your</p>	Page 22	<p>1 Fargo first request for production of documents, 2 please?</p> <p>3 A. (Viewing) Okay, yes.</p> <p>4 Q. Thank you. If you will read paragraph 15 5 of Defendants' Exhibit 6, please?</p> <p>6 A. Okay. It says "All documents showing, 7 proving, or otherwise relating to the your claim 8 that Wells Fargo is liable to you under the Real 9 Estate Settlement Procedures Act."</p> <p>10 Q. Thank you, ma'am. And then read your 11 response to Paragraph 15, please?</p> <p>12 A. "Plaintiff objects to this request under 13 grounds of work product. See this court's R&R, 14 report and recommendation."</p> <p>15 Q. Okay. So it would be accurate to say 16 that this response indicates that you believe that 17 the documents demonstrating the basis -- let me 18 start over. That was going to get real confusing 19 really fast.</p> <p>20 So paragraph 15, your response to paragraph 15 21 of Defendants' exhibit 6 indicates that you belief 22 that the documents evidencing that Wells Fargo is 23 liable to you under the Real Estate Settlement 24 Procedure's Act are contained in the court's report 25 and recommendation, true?</p>	Page 24

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<p>1 A. It's contained in the report and 2 recommendation and beyond complaint, after the 3 complaint was filed. 4 Q. Okay. So there may be documents that 5 happened after the complaint was filed that you 6 think evidence some liability from Wells Fargo? 7 A. Correct. 8 Q. Okay. But aside from documents or things 9 that may have happened after your complaint was 10 filed, anything that happened before the complaint 11 was filed would be referenced in the report and 12 recommendation? 13 A. That would be referenced in the report 14 and recommendation, the Consumer Financial 15 Protection Bureau as well as the Office of Control 16 and Currency. 17 Q. Okay. And you're referencing the 18 Consumer Financial Protection Bureau and the Office 19 of the Comptroller of the Currency. Are those 20 references related – are those references with 21 regard to claims that arose prior to the lawsuit 22 being filed? Are those included as exhibits to the 23 admitted complaint? I'm sorry, to the complaint? 24 A. These issues stem from prior to the 25 complaint being filed and after the complaint was</p>	<p>Page 25</p> <p>1 filed. I still didn't get any resolution. So 2 Consumer Financial Protection Bureau has that 3 information, OCC has that information. So all of 4 the federal regulatory agencies have that 5 information. 6 Q. Okay. Do the federal regulatory agencies 7 have information or documents that you have – 8 sorry, let me rephrase. 9 Do the federal regulatory agencies have any 10 documentation that was created or occurred prior to 11 the filing of this lawsuit that you didn't attach 12 to the lawsuit with regard to your claims against 13 Wells Fargo? 14 A. I can't answer that for certain. I don't 15 know. 16 Q. Okay. If you will review and then read 17 for me paragraph 16 of Defendants' Exhibit 6, 18 please? 19 A. Okay. "Our documents that demonstrate 20 that you actually sent the April 7, 2016 letter at 21 issue in this lawsuit to Wells Fargo. Response: 22 Plaintiff objects to the request on the grounds 23 that -- on the grounds of work product. Please 24 review verified complaint." 25 Q. Okay. Thank you. Are you aware of any</p>
<p>1 filed. 2 Q. Are there documents in your possession 3 that relate to a CFP – the CFPB's involvement in 4 your dispute with Wells Fargo that are prior to the 5 lawsuit being filed that are not attached to the 6 complaint? 7 A. Prior to the lawsuit being filed, no. 8 Q. Okay. So every document with regard to 9 the CFPB and their involvement in your complaint 10 with Wells Fargo prior to the lawsuit being filed 11 was attached to your complaint? 12 A. From -- probably from 2015 to 2016. 13 Q. Okay. So there may have been documents 14 with regard to the CFPB for claims you have against 15 Wells Fargo that existed prior to 2015 that weren't 16 included in the complaint. 17 A. No. 18 Q. Okay. I guess I'm misunderstanding. 19 A. So the complaint was filed in 2017? 20 2017. 21 Q. Okay. 22 A. And so anything prior to from 2015 to 23 2017 was in the complaint. 24 Q. Okay. 25 A. So anything after 2017, the complaint was</p>	<p>Page 26</p> <p>Page 28</p> <p>1 evidence that you sent the April 7, 2016 letter to 2 Wells Fargo that was not included in the verified 3 complaint? 4 A. Can you repeat the question? 5 Q. In paragraph 16 of Defendants' Exhibit 6, 6 my client asked for all documents that you actually 7 sent the April 7, 2016 letter to Wells Fargo. 8 A. Right. 9 Q. Your response was, "Review the verified 10 complaint." I just want to confirm, are there any 11 documents that you did not attach to the verified 12 complaint that demonstrate that you sent the April 13 7, 2016 letter. 14 A. Still confused. 15 Q. No problem. I confuse myself sometimes. 16 A. So any documents that I sent to Wells 17 Fargo, I sent to all the federal Regulatory 18 agencies. So any documents that I sent to Wells 19 Fargo in regards to the low, in regards to 20 anything, I sent to all the regulatory agencies. 21 Q. Okay. Well, right now, ma'am, I'm just 22 asking about the April 7, 2016 letter, which we 23 have marked as Defendants' Exhibit 3. 24 A. Uh-huh. Yes. 25 Q. Are you aware of any evidence that that</p>

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<p>1 letter was actually sent to Wells Fargo that you 2 did not include as an exhibit to the verified 3 complaint?</p> <p>4 A. Everything that was in the verified 5 complaint as Exhibit 3 is sent out to the Consumer 6 Financial Protection Bureau and all of the other 7 regulatory agencies. These listed are the Consumer 8 Financial Protection Bureau case numbers.</p> <p>9 Q. Okay. That is close but not quite what 10 I'm asking. I just want to make sure we understand 11 each other.</p> <p>12 In looking back at paragraph 16 of Defendants' 13 Exhibit 6.</p> <p>14 A. Uh-huh.</p> <p>15 Q. We requested all documents that 16 demonstrate that you actually sent the April 7, 17 2016 letter. In your response, you said, "Please 18 review the verified complaint." So I just want to 19 confirm that that's an accurate response and that, 20 to the extent that you have the documents that 21 demonstrate you actually sent the April 7, 2016 22 letter, that those are referenced or included as 23 exhibits to the verified complaint.</p> <p>24 A. Okay. So are you asking if I sent it by 25 postage?</p>	<p>Page 29</p> <p>1 document like that you're aware of that's not 2 included as an exhibit or referenced in the 3 complaint?</p> <p>4 A. Are you saying certified return receipt?</p> <p>5 Q. Anything like that. Any evidence of 6 mailing.</p> <p>7 A. I'm not sure. I'm not sure.</p> <p>8 Q. Okay. But sitting here today, you're not 9 aware of any evidence that you haven't included in 10 the complaint or provided to me.</p> <p>11 A. If you're asking about a certified letter 12 return receipt, I'm not sure if I have that. I 13 have to go back and check. But what I'm saying to 14 you is that it was mailed out.</p> <p>15 Q. Okay.</p> <p>16 A. And it was mailed -- it was mailed out 17 and also it was sent electronically to Consumer 18 Financial Protection Bureau.</p> <p>19 Q. I understand. So will you please go see 20 if you have any certified return receipt cards or 21 anything like that?</p> <p>22 A. I will.</p> <p>23 Q. Okay. And if you do have anything like 24 that, will you produce a copy to me, please?</p> <p>25 A. Yes.</p>
<p>1 Q. I'm just asking if that would be one 2 example of evidence that you sent the letter. I'm 3 just asking --</p> <p>4 A. I sent the letter. There's no question 5 about that. I sent the letter.</p> <p>6 Q. I understand that's your position. But 7 we're just talking about evidence aside from your 8 testimony, because I understand your testimony that 9 you sent the letter. And in your responses to the 10 request for production, you just said, "Please 11 review the verified complaints." So I just want to 12 confirm that -- that any evidence that you actually 13 sent the letter, aside from your testimony, was 14 included or referenced in the verified complaint.</p> <p>15 A. If Wells Fargo is stating that they never 16 received the letter, the only thing they had to do 17 is come and ask me for the letter, and I was more 18 than happy to give them the letter. So they 19 received the letter, they have the letter, 20 everything went to the Consumer Financial 21 Protection Bureau. And that's it.</p> <p>22 Q. I understand. But I just, again, just 23 want to confirm the accuracy of the response as far 24 as some sort of written evidence that the letter 25 was mailed beyond your testimony. Is there any</p>	<p>Page 30</p> <p>1 (...Cell phone sounds...)</p> <p>2 THE WITNESS: I'm sorry.</p> <p>3 MR. HOWARD: No, problem at all.</p> <p>4 THE WITNESS: Can we take a break? I got 5 to use the restroom.</p> <p>6 MR. HOWARD: Yes. Let's go off the 7 record. Absolutely, ma'am, yes.</p> <p>8 (Whereupon, a brief recess was taken from 9 11:05 a.m. until 11:10 a.m. after which the 10 proceeding resumed.)</p> <p>11 BY MR. HOWARD:</p> <p>12 Q. You took the loan at issue out back in 13 2000, correct?</p> <p>14 A. Correct.</p> <p>15 Q. Is it your contention sitting here today 16 that you've made every payment owed on the loan to 17 date?</p> <p>18 A. No, I didn't make every payment owed on 19 the loan to date.</p> <p>20 Q. Do you remember the last time you made a 21 payment on the loan at issue?</p> <p>22 A. No.</p> <p>23 Q. Okay. But it was not in 2018?</p> <p>24 A. No.</p> <p>25 Q. Okay.</p>

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1 A. Because you wouldn't give me my --
 2 because Wells Fargo would not give me a
 3 modification.
 4 Q. Okay.
 5 MR. HOWARD: All right, ma'am, that's all
 6 I have.
 7 THE WITNESS: That's it?
 8 MR. HOWARD: Yep, that's it.
 9 THE WITNESS: That was short.
 10 (Whereupon, the above-styled matter
 11 concluded at 11:14 a.m. Eastern Standard Time.)
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D I S C L O S U R E

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 Regulations of the Board of Court Reporting of the
 Judicial Council of Georgia, I make the following
 disclosure:

I am a Georgia Certified Court Reporter. I am
 here as an independent contractor of Esquire
 Deposition Solutions.

Esquire Deposition Solutions was contacted by
 the offices of BAKER DONELSON BEARMAN, CALDWELL &
 BERKOWITZ, PC to provide court reporting services
 for this deposition. I am not taking this
 deposition under any contract that is prohibited by
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 contract or agreement to provide court reporting
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 the case, or any court reporter or reporting agency
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 this deposition. Esquire Deposition Solutions will
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 in the case, and a financial discount will not be
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This 20th day of December 2018.

Linda Panzica, CCR
 Certified Court Reporter
 License Number 2773

CE R T I F I C A T E
 STATE OF GEORGIA
 COUNTY OF FULTON
 I Linda Panzica, Certified Court Reporter and
 Notary Public, within and for the State of Georgia,
 do hereby certify:
 CYNTHIA D. PERDUM, the witness whose
 examination is hereinbefore set forth, was first
 duly sworn by me and that this transcript of said
 testimony is a true record of the testimony given
 by said witness.
 The above certification is expressly withdrawn
 upon the disassembly or photocopying of the
 foregoing transcript, unless said disassembly or
 photocopying is done under the auspices of Esquire
 Deposition Solutions and the signature and original
 seal is attached thereto.
 I further certify that I am not relative,
 employee, attorney, or counsel of any of the
 parties; nor am I financially interested in the
 outcome of this matter.
 This 27th day of December 2018.
 Linda Panzica
 Certified Court Reporter
 License No. 2773

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DEPOSITION ERRATA SHEET

Our Assignment No: J3431068
 Case Caption: Cynthia Perdum vs. Wells Fargo Home
 Mortgage; Shapiro Pendergast & Hasty, LLP;
 Nationwide Clearinghouse, Inc.; and US Department
 of Housing and Urban Development

DECLARATION UNDER PENALTY OF PERJURY

I declare under penalty of perjury that I have
 read the entire transcript of my Deposition taken
 in the above-captioned matter or the same has been
 read to me and the same is true and accurate, save
 and except for changes and/or corrections, if any,
 as indicated by me on the DEPOSITION ERRATA SHEET
 hereof, with the understanding that I offer these
 changes as if still under oath. Signed on the
 day of

2019.

Cynthia D. Perdum

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		Cynthia D. Perdum	
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